

LEGISLATIVE BILL 168

Approved by the Governor April 8, 2009

Introduced by Avery, 28.

FOR AN ACT relating to the state purchasing bureau; to provide for reverse auctions as prescribed; and to provide powers and duties for the bureau.

Be it enacted by the people of the State of Nebraska,

Section 1. (1) Notwithstanding any other provision of law, the state purchasing bureau created by section 81-1118 may use a reverse auction for the acquisition of goods if the bureau determines that the use of a reverse auction would be advantageous to the state.

(2) If the bureau conducts a reverse auction, the bureau shall provide notification of the intent to use the reverse auction process in the bid solicitation documents and, unless the solicitation is canceled, an award shall be made to the bidder determined by the bureau to be the lowest responsible bidder at the close of the bidding process. The bureau may require bidders to register before the opening date and time of the reverse auction.

(3) The bureau may contract with a third-party vendor to conduct a reverse auction pursuant to this section.

(4) The bureau may adopt and promulgate rules and regulations to implement this section.

(5) For purposes of this section, reverse auction means a process in which (a) bidders compete to provide goods in an open and interactive environment, which may include the use of electronic media, (b) bids are opened and made public immediately, and (c) bidders are given opportunity to submit revised bids until the bidding process is complete.